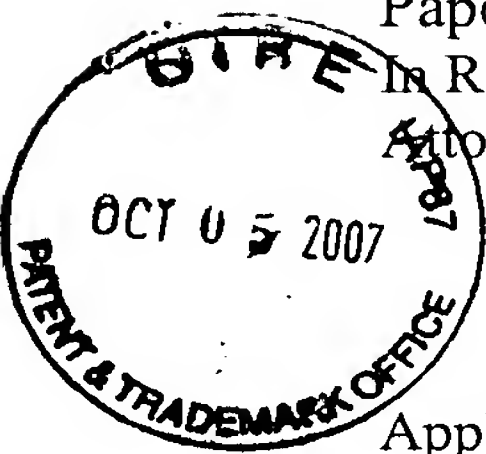


Application No. 10/540,906

Paper dated October 3, 2007

In Reply to USPTO Correspondence of September 4, 2007

Attorney Docket No. 3988-051890



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/540,906

Applicant : Klaus Baltes et al.

Filed : February 22, 2007

Title : FILLING MACHINE AND METHOD FOR PACKING
COMESTIBLES

Art Unit : 3721

Confirmation No. 4922

Examiner : Not Yet Assigned

Customer No. 28289

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is in response to the Notice of Non-Compliant Amendment dated September 4, 2007, in which a shortened statutory period for reply was set for one month. Applicant's Preliminary Amendment of June 29, 2005, was deemed to be non-compliant because a complete listing of all of the claims was not present.

Applicants submit herewith a complete "Listing of Claims", pages numbered 3 - 5 to replace the Listing of Claims set forth on pages 3 - 5 in the Preliminary Amendment of June 29, 2005.

Applicant was given one month from the mailing date of the Notice; namely, until October 4, 2007, to comply. This response is within that time period.

Respectfully submitted,

THE WEBB LAW FIRM

By

Ryan J. Miller

Registration No. 56,236

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I hereby certify that this correspondence is being deposited with the United States Postal Services as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

Judy Eberle
(Name of Person Mailing Paper)

October 3, 2007
Date